

knew that was a likely target. We were not telling the terrorists anything they didn't know. We knew it was a problem.

I hope to God I am never in a position where, by even implication, I have to say, I told you so. There is no way out of the tunnels. There is no lighting. There is no ventilation. There is no way out.

I apologize, I am getting angry about it. Again, I can understand my friend from Arizona and others objecting to Amtrak. They do not think Amtrak is efficacious. I got it. I understand. They are wrong. I am willing to debate that. I would love a chance to debate it. However, this is drop dead common sense. I close to resent not being able to have a chance for the Senator from Pennsylvania, the Senator from Delaware, the Senators from New York, in addition to the Senators where Amtrak goes—these are gigantic targets.

They once asked Willie Sutton: Why rob banks? And his answer was: That is where the money is.

What do terrorists do? Why do they pick the two largest buildings in the United States, instead of coming to Delaware and hitting a 12-story building in Delaware? Why? Because that is where the most people are. That is where the biggest targets remain.

I thank my friend from Nevada. He has been a staunch supporter and tried like the devil to help.

The concluding point I make: My hold is not secret. I would like to know who is holding up the ability of the Senate to pass a bill that we were promised on October 15 would get action; that we passed out of the Commerce Committee unanimously, without amendment; that, in fact, nobody has made a substantive argument why any of this is not needed. I want to know why. I want to know why and who. Who is saying we cannot vote on it? And why do they think we should not have this?

I am a big boy. We have a vote. I win; I lose. But I want a vote.

I yield the floor.

Mr. SPECTER. If the Senator from Delaware would respond to a question, the holds which are placed anonymously on legislation preclude a Senator such as the Senator from Delaware from finding out who has taken that action, and therefore there is no opportunity to talk to that colleague, reason with that colleague, perhaps find a way to resolve the issue.

The simple question: Is it time the rules of the Senate were modified to stop secret holds which preclude sensible action on a matter such as rail safety?

Mr. BIDEN. The Senator is preaching to the choir. I fully agree with the Senator.

As the Senator knows, that is above my pay grade. There are only six Senators who have been here longer than I, but a lot have more institutional power than I do. I think it is a reasonable proposal, and I have shared that view of the Senator for a long time.

Mr. SPECTER. I don't disagree with the Senator from Delaware very often, but I disagree when he says it is above his pay grade.

I compliment the Senator from Delaware for his impassioned presentation. I concur with him. I thank the Senator from Nevada for articulating the view of the leadership.

It is true the Northeast has special considerations: When you pass through the tunnels in Baltimore, you pass through the Philadelphia train stations, the tunnels going into New York City. It is time we considered the matter.

I hope the passion the Senator from Delaware has articulated will move some Senator who has a secret hold on the legislation.

I yield the floor.

Mr. BIDEN. Madam President, I will just take 10 seconds. I conclude by saying, I say to my friend, Senator MCCAIN, I will lift the hold on these two nominees the moment we get a vote on the security bill.

I yield the floor.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to executive session to consider Calendar No. 724 and Calendar No. 725.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, any statements thereon appear at the appropriate place in the RECORD as though read, and the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations were considered and confirmed, as follows:

#### THE JUDICIARY

Jeanette J. Clark, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

#### DEPARTMENT OF COMMERCE

Louis Kincannon, of Virginia, to be Director of the Census.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned.

Thereupon, the Senate, at 5:48 p.m., adjourned until Thursday, March 14, 2002, at 9:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate March 13, 2002:

#### CONSUMER PRODUCT SAFETY COMMISSION

HAROLD D. STRATTON, OF NEW MEXICO, TO BE CHAIRMAN OF THE CONSUMER PRODUCT SAFETY COMMISSION, VICE ANN BROWN.

HAROLD D. STRATTON, OF NEW MEXICO, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING OCTOBER 26, 2006, VICE ANN BROWN.

#### DEPARTMENT OF STATE

DAVID A. GROSS, OF MARYLAND, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS DEPUTY ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL COMMUNICATIONS AND INFORMATION POLICY IN THE BUREAU OF ECONOMIC AND BUSINESS AFFAIRS AND U.S. COORDINATOR FOR INTERNATIONAL COMMUNICATIONS AND INFORMATION POLICY.

#### NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

MICHAEL PACK, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2004, VICE DARRYL J. GLESS, TERM EXPIRED.

#### DEPARTMENT OF JUSTICE

DAVID PHILLIP GONZALES, OF ARIZONA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF ARIZONA FOR THE TERM OF FOUR YEARS, VICE ALFRED E. MADRID, TERM EXPIRED.

EDWARD ZAHREN, OF COLORADO, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF COLORADO FOR THE TERM OF FOUR YEARS, VICE ERNESTINE ROWE, TERM EXPIRED.

CHARLES M. SHEER, OF MISSOURI, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF MISSOURI FOR THE TERM OF FOUR YEARS, VICE ROBERT BRADFORD ENGLISH, TERM EXPIRED.

GORDEN EDWARD EDEN, JR., OF NEW MEXICO, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF NEW MEXICO FOR THE TERM OF FOUR YEARS, VICE JOHN STEVEN SANCHEZ, TERM EXPIRED.

JOHN LEE MOORE, OF TEXAS, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS, VICE NORRIS BATISTE, JR., TERM EXPIRED.

WILLIAM P. KRUIZIKI, OF WISCONSIN, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF WISCONSIN FOR THE TERM OF FOUR YEARS, VICE NANNETTE HOLLY HEGERTY, TERM EXPIRED.

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

L.T. GEN. LESLIE F. KENNE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

MAJ. GEN. WILLIAM R. LOONEY III, 0000

#### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be brigadier general

COL. DOUGLAS M. STONE, 0000

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

JOSEPH WYSOCKI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND AS PERMANENT PROFESSORS, UNITED STATES AIR FORCE ACADEMY, UNDER TITLE 10, U.S.C., SECTIONS 9333 (B) AND 9336 (A).

##### To be colonel

RICHARD L. FULLERTON, 0000

DAVID S. GIBSON, 0000

WILLIAM P. WALKER, 0000

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

##### To be colonel

WILLIAM P. ALBRO, 0000

THOMAS E. ALLEN, 0000

THORNE S. AMBROSE, 0000

RANDALL R. BALL, 0000

DAVID H. BARNHART, 0000

EARL S. BELL, 0000

KATHLEEN F. BERG, 0000

JAMES T. BOLING, 0000

PETER A. BONANNI, 0000

JEANETTE B. BOOTH, 0000

JOHN H. BRAMHALL, 0000  
DAVID T. BUCKALEW, 0000  
JOHN R. BUCKINGHAM, 0000  
GREGG A. BURDEN, 0000  
BREWSTER S. BUTTERS, 0000  
MICHAEL F. CANDERS, 0000  
FRANKLIN E. CHALK SR., 0000  
GREGORY S. CHAMPAGNE, 0000  
JOHN R. CHATBURN, 0000  
ROBERT A. CHIN, 0000  
MARK E. CLEM, 0000  
ROGER F. CLEMENTS, 0000  
JOHN D. COMPTON, 0000  
JAMES E. DANIEL JR., 0000  
JAMES T. DAUGHERTY, 0000  
JAMES F. DAWSON JR., 0000  
JAMES D. DEMERITT, 0000  
ROBERT R. DOLAN, 0000  
MATTHEW J. DZIALO, 0000  
BARBARA A. EAGER, 0000  
KATHLEEN L. EASTBURN, 0000  
ROBERT C. EDWARDS JR., 0000  
JAMES A. FIRTH, 0000  
KEVIN J. FISCHER, 0000  
GARY A. FITZGERALD, 0000  
TONY O. FLORES JR., 0000  
TIMOTHY L. FRYE, 0000  
LAWRENCE P. GALLOGLY, 0000  
ROBERT GERMANI JR., 0000  
ROBERT S. GISSENDANNER, 0000  
BRIAN D. GOMULA, 0000  
JEROME M. GOUIN, 0000  
JOHN O. GRIFFIN, 0000  
DENNIS D. GRUNSTAD II, 0000  
PAUL D. GRUVER, 0000  
JAMES H. GWIN, 0000  
STEVEN B. HANSON, 0000  
CURTIS T. HARRIS, 0000  
SCOTT B. HARRISON, 0000  
MARTIN K. HOLLAND, 0000  
SHEILA F. HOOTEN, 0000  
RODNEY K. HUNTER, 0000  
JEFFREY R. JOHNSON, 0000  
THOMAS M. JOHNSON, 0000  
RANDALL K. JONES, 0000  
THOMAS C. JORDAN, 0000  
JON K. KELK, 0000  
THOMAS J. KEOUGH, 0000  
WILLIAM L. KITTLER, 0000  
ROBERT S. LANDSIEDEL, 0000  
MARK R. LANGLEY, 0000  
ROBERT K. LEWIS, 0000  
ROBERT W. LOVELL, 0000  
DAVID J. MACMILLAN, 0000  
BRUCE R. MACOMBER, 0000  
JAMES L. MALENKE, 0000  
RUSSELL W. MALESKY, 0000  
RONALD E. MALOUSEK, 0000  
THOMAS J. MARKS JR., 0000  
LANNY B. MCNEELY, 0000  
THOMAS R. MOORE, 0000  
THOMAS G. MURGATROYD, 0000  
GUNTHER H. NEUMANN, 0000  
GARY J. NOLAN, 0000  
RICHARD J. NYALKA, 0000  
ROGER L. NYE, 0000  
STANLEY J. OSSERMAN JR., 0000  
ALAN W. PALMER, 0000  
JAMES A. PATTERSON, 0000  
JAY M. PEARSALE, 0000  
LEON RAY, 0000  
ROBERT F. REINHARDT JR., 0000  
MARILYN A. RIOS, 0000  
DEBORAH S. ROSE, 0000  
ALAN K. RUTHERFORD, 0000  
REED D. SCHOTANUS, 0000  
ROBERT J. SLUSSER, 0000  
DAVID M. SMITH, 0000  
KENNETH L. SMITH, 0000  
MARK W. STEPHENS, 0000  
ROBERT M. STONESTREET, 0000  
TERRENCE L. THILMONY, 0000  
RUSSELL K. THOMAS, 0000  
BRUCE THOMPSON, 0000  
JOHN R. TUTTLE, 0000  
WILLIS L. WALDRON JR., 0000  
STEPHEN J. WALKER, 0000  
SANDRA WARDE, 0000  
KEVIN L. WEAR, 0000

LARRY W. WEIGLER, 0000  
JAMES R. WHITE, 0000  
ALBERT M. WOOLLEY JR., 0000  
PAUL G. WORCESTER, 0000  
DELILAH R. WORKS, 0000

#### IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY CHAPLAIN CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

#### *To be colonel*

MICHAEL T. BRADFIELD, 0000  
WILLIAM B. BROOME III, 0000  
JOEL W. COCKLIN, 0000  
RICHARD B. GARRISON, 0000  
FREDERICK L. HUDSON, 0000  
RONALD R. HUGGLER, 0000  
LAWRENCE C. KRAUSE, 0000  
RICHARD A. KUHLBARS, 0000  
JAMES E. MAY, 0000  
ALVIN M. MOORE III, 0000  
SHERILL F. MUNN, 0000  
JACK J. VANDYKEN, 0000  
RICHARD R. YOUNG, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(\*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

#### *To be major*

SHARON M. \*AARON, 0000  
LILA M. \*AGUTO, 0000  
WILLIAM A. \*AIKEN II, 0000  
SUSAN J. \*ARGUETA, 0000  
CHRISTOPHER D. BAYSA, 0000  
SANDRA J. BEGLEY, 0000  
RICHARD A. BEHR, 0000  
DONALD E. \*BENNETT JR., 0000  
ARNESHUIA P. \*BILAL, 0000  
LYNN \*BLANKE, 0000  
TAMMIE S. \*BOEGER, 0000  
VINCENT B. BOGAN, 0000  
LISA M. \*BOWER, 0000  
MICHAEL T. \*BOZZO, 0000  
CARLTON G. BROWN, 0000  
CARLA R. \*BUCKLES, 0000  
TERRIE D. \*BURGAN, 0000  
MIRTA B. \*BURGOS, 0000  
JOSEPH M. \*CANDELARIO, 0000  
CHERYL Y. \*CAPERS, 0000  
LILLIAN \*CARDONA, 0000  
AMBROSE M. CARROLL, 0000  
JESUS M. \*CASTRO, 0000  
COLEEN P. \*CHANG, 0000  
MARY T. \*CHRISTAL, 0000  
RICHARD W. \*CICHY, 0000  
MARGARET A. \*COLLIER, 0000  
ALBERT S. \*COSTA, 0000  
TAMARA L. \*CRAWFORD, 0000  
LISA E. CROSBY, 0000  
CARLA J. \*CROUCH, 0000  
DANETTE F. \*CRUTHIRDS, 0000  
KATRYNA B. \*DEARY, 0000  
FRANCISCO A. \*DELAHOZ, 0000  
RONALD D. DESALLES, 0000  
DIANA J. DESCHAMPS, 0000  
SUSAN M. \*DIAZ, 0000  
SPENCER D. DICKENS JR., 0000  
TONYA F. \*DICKERSON, 0000  
DARRELL C. \*DODGE, 0000  
STEPHANIA L. DOVER, 0000  
TERESA A. \*DUQUETTE, 0000  
JEAN \*ERICKSON, 0000  
RICHARD R. ESSICK, 0000  
MARK S. \*EVANS, 0000  
GLENN R. \*FERNANDES, 0000  
SHELIA F. \*FRANCIS, 0000  
SHERRI D. FRANKLIN, 0000  
STEPHEN D. \*FREDERICK, 0000  
LORI A. \*FRITZ, 0000  
PABLITO R. \*GAHOL, 0000  
ANITA R. \*GANZ, 0000  
DAVID W. \*GARCIA, 0000  
MICHAEL A. GLADU, 0000  
BLONDELL S. GLENN, 0000

TINA M. \*GOSLING, 0000  
MICHAEL W. GREENLY, 0000  
DOLA D. \*HANDLEY, 0000  
PATRICIA S. \*HARM, 0000  
SHAROYN L. \*HARRIS, 0000  
MICHAEL A. \*HAWKINS, 0000  
CARLOTTA S. \*HEAD, 0000  
TRACI M. HESE, 0000  
CHARLES D. \*HENKEL, 0000  
PAUL D. \*HESS, 0000  
MELISSA J. \*HOFFMAN, 0000  
CHARLOTTE M. \*HOOD, 0000  
ESTERLITTA L. \*JACKSON, 0000  
TRINI L. \*JEANICE, 0000  
EDGAR JIMENEZ, 0000  
LINDA E. \*JONES, 0000  
JOHNNIE M. \*KOCH, 0000  
CHRISTINE M. \*KRAMER, 0000  
WILLIAM L. KUHN, 0000  
FRANK LEE, 0000  
VIKI J. \*LEEFEERS, 0000  
DENISE M. \*LYONS, 0000  
JAMES A. \*MADSON, 0000  
PAUL J. \*MAHOLTZ III, 0000  
DAVID P. \*MARANA, 0000  
SANDRA I. \*MARTIN, 0000  
ANA L. \*MASON, 0000  
SUE A. \*MCCANN, 0000  
DEBORAH \*MCMULLAN, 0000  
LINDA K. \*MOORE, 0000  
BEVERLY J. MORGAN, 0000  
SHERRY D. \*MOSLEY, 0000  
PETER J. MOTT, 0000  
MICHELLE L. \*MUNROE, 0000  
KATHY M. \*NEAL, 0000  
JOHN E. \*NEUMANN, 0000  
THERESA A. PECHATTY, 0000  
WESLEY H. \*PIERCE, 0000  
BRIAN M. \*PITCHER, 0000  
LINDA A. \*POIRIER, 0000  
MELONIE G. QUANDER, 0000  
KATHERINE T. \*RALPH, 0000  
JOY E. \*REXFORD, 0000  
PHYLLIS A. \*RHODES, 0000  
CAROLYN M. RICHARDSON, 0000  
JOHN D. \*RODGERS, 0000  
LETICIA \*SANDROCK, 0000  
REBEKAH J. \*SARFIELD, 0000  
DEBORAH M. \*SAUNDERS, 0000  
SHARON U. \*SCOTT, 0000  
MARY J. \*SHAW, 0000  
DEIDRE M. SINGLETON, 0000  
ALLEN D. \*SMITH, 0000  
JUDY A. \*SMITH, 0000  
STEPHANIE C. \*STELTER, 0000  
JAMES E. \*STEVENS, 0000  
EVELYN TOWNSEND, 0000  
BARBARA F. \*WALL, 0000  
BRADLEY C. \*WEST, 0000  
MARY A. \*WEST, 0000  
DAVID O. \*WHITE, 0000  
WILLIAM G. \*WHITE, 0000  
MICHELLE M. \*WILLIAMS, 0000  
SELINA G. \*WILLIAMS, 0000  
GAYLA W. \*WILSON, 0000  
JOELLEN E. WINDSOR, 0000

## CONFIRMATIONS

Executive nominations confirmed by the Senate March 13, 2002:

#### DEPARTMENT OF COMMERCE

LOUIS KINCANNON, OF VIRGINIA, TO BE DIRECTOR OF THE CENSUS.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

#### THE JUDICIARY

JEANETTE J. CLARK, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.